

**THURSDAY, APRIL 6, 2000**  
**SIXTY-NINTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Ed Gillock, Cairo Cumberland Presbyterian Church, West Point, Mississippi.

Representative Kent led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 190:** Rep(s). Eckles as prime sponsor(s).

**House Joint Resolution No. 585:** Rep(s). Maddox as prime sponsor(s).

**House Bill No. 2498:** Rep(s). Black as prime sponsor(s).

**House Bill No. 2610:** Rep(s). Pruitt, Patton, Ford, Hargett, Newton, Davis (Washington), Godsey, Buttry, Montgomery, Harwell, Roach, McKee, Phelan, Maddox, Walker, Stulce, Fitzhugh and Turner (Hamilton) as prime sponsor(s).

**House Bill No. 2846:** Rep(s). Stulce, Bittle, Scroggs and McAfee as prime sponsor(s).

**House Bill No. 2914:** Rep(s). Baird, Stulce, Sargent, Bittle, Boyer, Turner (Hamilton), Dunn, Maddox, Fitzhugh, Roach and McKee as prime sponsor(s).

**THURSDAY, APRIL 6, 2000 – SIXTY-NINTH LEGISLATIVE DAY**

**House Bill No. 3168:** Rep(s). Pleasant, Sargent, Dunn, Pruitt, Hargett, Roach, Montgomery, Armstrong, Tindell, Walker, Naifeh and Towns as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Robinson was/were removed as sponsor(s) of **House Bill No. 2103**.

**MESSAGE FROM THE SENATE**

**April 4, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2052, 2178, 2435, 2750, 3005; also, Senate Joint Resolution(s) No(s). 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705 and 706 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**April 4, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2052, 2178, 2435, 2750, 3005; also, Senate Joint Resolution(s) No(s). 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705 and 706.

**ENROLLED BILLS**

**April 4, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 958, 2037, 2799, 2848, 2897, 2983, 2988; House Joint Resolution(s) No(s). 411; also, House Resolution(s) No(s). 181, 182 and 183.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 4, 2000**

The Speaker signed the following: House Bill(s) No(s). 958, 2037, 2799, 2848, 2897, 2983, 2988; House Joint Resolution(s) No(s). 411; also, House Resolution(s) No(s). 181, 182 and 183.

BETTY KAY FRANCIS, Chief Engrossing Clerk.



**MESSAGE FROM THE GOVERNOR**

**April 5, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 874, 1637, 2006, 2236, 2268, 2316, 2339, 2645, 2679, 2680, 3003, 3037 and 3288, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**April 5, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 958, 2037, 2799, 2848, 2897, 2983, 2988; also, House Joint Resolution(s) No(s). 411; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 5, 2000**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 958, 2037, 2799, 2848, 2897, 2983, 2988; also, House Joint Resolution(s) No(s). 411.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**April 5, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3291 and 3293, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 742; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 742** -- Memorials, Public Service - White House High School Coach Jeff Porter, White House Citizen of the Year. by \*Graves.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2584; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Bill No. 2584** -- Cooperatives - Increases certain filing fees telephone cooperatives must pay to secretary of state. Amends TCA Title 7, Chapter 59 and Title 65, Chapter 29. by \*Burks. (\*HB2126 by \*Buck, \*Bone)

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 708, 709, 711, 712, 713, 714, 715, 716, 717, 718 and 719; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Joint Resolution No. 708** -- Memorials, Public Service - Tennessee affiliates of Habitat for Humanity International, Federal Home Loan Bank, THDA and Union Planters Bank for special initiative, "House the General Assembly Built"; expresses support for such initiative and urges participation of legislators. by \*Herron, \*Atchley, \*Crutchfield, \*Dixon, \*Elsea, \*Graves.

**Senate Joint Resolution No. 709** -- Memorials, Death - Raymond Bryant. by \*Herron.

**Senate Joint Resolution No. 711** -- Memorials, Sports - Lin Dunn. by \*Herron.

**Senate Joint Resolution No. 712** -- Memorials, Death - Helen Wilburn. by \*Rochelle.

**Senate Joint Resolution No. 713** -- Memorials, Academic Achievement - Lindsay Michelle Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 714** -- Memorials, Academic Achievement - Dana Rowland, Salutatorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 715** -- Memorials, Academic Achievement - Larissa Ann Nesbitt, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 716** -- Memorials, Academic Achievement - Ethan Van Underwood, Smith County High School Salutatorian. by \*Rochelle.

**Senate Joint Resolution No. 717** -- Memorials, Professional Achievement - Nita Jones, Elementary Counselor of the Year. by \*Herron.

**Senate Joint Resolution No. 718** -- Memorials, Retirement - Mike Biggs, Mayor of Greenfield. by \*Herron.

## THURSDAY, APRIL 6, 2000 – SIXTY-NINTH LEGISLATIVE DAY

**Senate Joint Resolution No. 719** -- Naming and Designating - "Police Memorial Day," May 15, 2000; "Police Memorial Week," May 14-20, 2000. by \*Burks, \*Graves.

### RESOLUTIONS REFERRED April 5, 2000

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

**\*House Joint Resolution No. 589** -- Memorials, Government Officials - Urges Department of Education to modify and revise portfolio assessment piloted for evaluating students with disabilities who do not participate in statewide assessment. by \*Hargrove.

House Education Committee

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 186** -- General Assembly, Studies - Creates special house committee to study licensing of home inspectors. by \*Williams (Williamson).

House Commerce Committee

**\*House Joint Resolution No. 589** -- Memorials, Government Officials - Urges Department of Education to modify and revise portfolio assessment piloted for evaluating students with disabilities who do not participate in statewide assessment. by \*Hargrove.

Previously referred to the House Education Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 10, 2000:

**House Resolution No. 187** -- Memorials, Death - Judge Joe Freytag. by \*Windle.

**House Resolution No. 188** -- Memorials, Heroism - Marcus Burger. by \*Bunch.

**House Joint Resolution No. 587** -- Memorials, Academic Achievement - Robin Letise Fernandez, Horatio Alger Scholar. by \*Hargett.

**House Joint Resolution No. 588** -- Memorials, Congratulations - Alltrista Company 30th Anniversary. by \*Mumpower.

**House Joint Resolution No. 590** -- Memorials, Professional Achievement - Charlie Nagatani, 45 years in country music. by \*McDaniel.

**House Joint Resolution No. 592** -- Memorials, Professional Achievement - Jay Graham, Cocke County Soil Conservation District's "Conservation Farmer of the Year". by \*Davis (Cocke).

**House Joint Resolution No. 594** -- Memorials, Death - Judge Howard Bailey. by \*Walley, \*McDaniel.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 10, 2000:

**\*Senate Joint Resolution No. 708** -- Memorials, Public Service - Tennessee affiliates of Habitat for Humanity International, Federal Home Loan Bank, THDA and Union Planters Bank for special initiative, "House the General Assembly Built"; expresses support for such initiative and urges participation of legislators. by \*Herron, \*Atchley, \*Crutchfield, \*Dixon, \*Elsae, \*Graves.

**Senate Joint Resolution No. 709** -- Memorials, Death - Raymond Bryant. by \*Herron.

**Senate Joint Resolution No. 711** -- Memorials, Sports - Lin Dunn. by \*Herron.

**Senate Joint Resolution No. 712** -- Memorials, Death - Helen Wilburn. by \*Rochelle.

**Senate Joint Resolution No. 713** -- Memorials, Academic Achievement - Lindsay Michelle Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 714** -- Memorials, Academic Achievement - Dana Rowland, Salutatorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 715** -- Memorials, Academic Achievement - Larissa Ann Nesbitt, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 716** -- Memorials, Academic Achievement - Ethan Van Underwood, Smith County High School Salutatorian. by \*Rochelle.

**Senate Joint Resolution No. 717** -- Memorials, Professional Achievement - Nita Jones, Elementary Counselor of the Year. by \*Herron.

**Senate Joint Resolution No. 718** -- Memorials, Retirement - Mike Biggs, Mayor of Greenfield. by \*Herron.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 41** -- General Assembly, Studies - Continues select joint committee on veterans' affairs. by \*Crowe, \*Womack, \*Crutchfield, \*Springer, \*Kurita, \*Kyle, \*Harper, \*Dixon.

House Finance, Ways and Means Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3312** -- Knox County - Subject to local approval, revises various private acts to transfer duties of the circuit court clerk with regard to criminal cases in general sessions court to clerk of criminal court. Amends Chapter 1 of the Acts of 1907. by \*Boyer, \*Bittle, \*Hagood, \*Dunn, \*Buttry, \*Armstrong, \*Tindell.

### DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3311, was/were referred to the Delayed Bills Committee.

**\*House Bill No. 3311** -- Guardianship - Expands authority of clerk and master to appoint guardians ad litem for infants to include persons in need of conservators or guardians and other cases where guardian ad litem is needed. Amends TCA Title 21, Chapter 1, Part 7. by \*Windle.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2199** -- Employees, Employers - Allows employee who prevails in cause of action against employer for retaliatory discharge to recover reasonable attorney fees and costs. Amends TCA Section 50-1-304. by \*Cohen. (HB2582 by \*Briley)

**\*Senate Bill No. 2259** -- Securities - Repeals taxes on the gross profits and shares of stock investment companies. Amends TCA Title 56, Chapter 4 and Title 67, Chapter 5. by \*Cohen, \*McNally, \*Atchley, \*Dixon, \*Crowe, \*Rochelle, \*Herron. (HB2880 by \*Fitzhugh, \*Scroggs, \*McDaniel, \*Kent, \*Garrett)

**\*Senate Bill No. 2329** -- Gas, Petroleum Products, Volatile Oils - Authorizes intrastate natural gas pipeline corporation acting under pilot project created in 1999, to utilize right of way along state highway for installation of pipelines or other facilities whether delivery is characterized as being through transmission or distribution line; ensures contractual arrangements and right to transport gas remain whether pilot project is extended or not extended. Amends TCA Section 65-28-103. by \*Haynes, \*Cooper, \*Dixon, \*Ford J. (HB2306 by \*Curtiss, \*Tindell, \*Armstrong, \*Towns, \*Hagood, \*Boyer, \*Cole (Carter), \*Westmoreland)

**Senate Bill No. 2619** -- Motor Vehicles, Titling and Registration - Authorizes issuance of "Preservation Through Restoration" new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to benefit historical preservation and restoration efforts in Tennessee Amends TCA Title 55, Chapter 4. by \*McNally, \*Williams. (\*HB2205 by \*Tindell, \*West, \*Arriola, \*Chumney, \*Armstrong, \*Dunn, \*Buttry, \*Bittle, \*Hagood, \*Boyer)

**\*Senate Bill No. 2634** -- Education - Includes "state board of education acting on behalf of any special school" as local government for purposes of state school bond authority; allows state board of education and state funding board to jointly enter into loan agreement with state school bond authority. Amends TCA Titles 4, 9; 49, 67 & 68. by \*Henry, \*Dixon. (HB2818 by \*Kisber)

**Senate Bill No. 2939** -- Teachers, Principals and School Personnel - Allows non-citizens to be employed at public schools and colleges in Tennessee. Amends TCA Title 49, Chapter 5, Part 2. by \*Atchley, \*Burchett. (\*HB2670 by \*Hagood)

**Senate Bill No. 3021** -- Trademarks and Trade Names - Enacts "Tennessee Trade Mark Act of 2000." Amends TCA Title 47, Chapter 25, Part 5. by \*Kyle, \*Dixon. (\*HB2873 by \*Chumney)

**\*Senate Bill No. 3052** -- Intergovernmental Relations - Authorizes commission on intergovernmental relations to contract with agency or entity of state or local government or higher education for performance of certain infrastructure needs inventories. Amends TCA Section 4-10-109 and Section 67-9-102. by \*Rochelle. (HB3099 by \*Rinks)

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 4, 2000**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for April 6, 2000**: House Bill(s) No(s). 2610, 2888, 2498, 2387, 2103, 2129, 3015, 3168, 2126, 2770, 2881, 3248 and 2231.

The Committee also set the following bill(s) on the **Regular Calendar for April 10, 2000**: House Bill(s) No(s). 2532.

The Committee further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar for April 10, 2000**: House Bill(s) No(s). 3082, 3171, 2713, 3050, 3099, 3028, 2986, 2511, 2873, 2124, 3216 and House Joint Resolution(s) No(s). 492.

### CHILDREN AND FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Joint Resolution(s) No(s). 558. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2526 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2499 and 2780 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1579, 964 and 2379 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2712 and 3002 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2320 and 3220 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2319 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2959, 3080, also House Bill(s) No(s). 3132 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2197. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2460, 1237, 2259, 2716, 2890, 2652, 2887, 3013, 2741, 1679, 2329, 2478, 2759, 2388, also House Bill(s) No(s). 1494, 2533, 2367 and 2523 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2067, 2415, 2085, 2089, 2435, 2436 and 2444. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also recommended that House Bill(s) No(s). 3159 be transmitted to the Consumer and Employee Affairs Committee.

### HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2378, 2683 and 3090 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2135 and 2834 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Joint Resolution(s) No(s). 435, also House Bill(s) No(s). 2660, 3100, 2171, 2854, 2855, 2594 and 3067 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2985, 2807, 3148 and 2562 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **April 5, 2000**, reported the following:

#### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2684, 3071, also House Bill(s) No(s). 3250 and 2943 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2634 and 2884 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.



## TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2248 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2200, 2627, 2929; also House Bill(s) No(s). 3049, 3051 and 2765 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 6, 2000**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 10, 2000**: House Bill(s) No(s). 3017, 3072, 2166, 2867, 3252, 3090, 2685, 2226, 3105, 2964, and 2581.

The Committee also set the following bill(s) on the **Regular Calendar** for **April 13, 2000**: House Bill(s) No(s). 1849.

The Committee further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 10, 2000**: House Bill(s) No(s) 2959, 2063, 2076, 2424, 2077, 2221, 2423, 2256, 2212, 2960, House Joint Resolution(s) No(s). 519 and 539.

## CAPTION BILLS REFERRED

**April 5, 2000**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 125, 1920, 2743 and 2291 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 125** -- Criminal Offenses – House Judiciary Committee

**\*House Bill No. 1920** -- Public Funds and Financing – House Finance, Ways and Means Committee

**House Bill No. 2743** -- TennCare – House Commerce Committee

**\*House Bill No. 2291** -- TennCare - House Commerce Committee

CONSENT CALENDAR

**House Resolution No. 185** -- Memorials, Professional Achievement - JC Penney store, Stones River Mall, 1999 Chairman's Award recipient. by \*Hood, \*Eckles.

**House Joint Resolution No. 579** -- Naming and Designating - Child Abuse Prevention Month, April. by \*Hood, \*Eckles, \*Frale, \*Davidson, \*McDonald, \*Kisber, \*Bone, \*West, \*Langster, \*Windle, \*Fowlkes, \*Hargrove, \*Sands, \*White.

**House Joint Resolution No. 581** -- Memorials, Sports - 1999-2000 Jackson County High School girls' basketball team, TSSAA Class 2-A state champions. by \*Winningham.

**House Joint Resolution No. 582** -- Memorials, Professional Achievement - James W. Parsons, 2000 Metro-Nashville Middle School Teacher of the Year. by \*Winningham.

**House Joint Resolution No. 583** -- Memorials, Professional Achievement - Jamie Hill Garrett, Pickett County Press. by \*Winningham.

**House Joint Resolution No. 584** -- Memorials, Personal Achievement - Derek Mark Jamison, Eagle Scout. by \*Black.

**House Joint Resolution No. 585** -- Memorials, Sports - 1999 South Fulton High School boys' basketball team, TSSAA Class A state champions. by \*Pinion.

**House Bill No. 3303** -- Franklin County - Subject to local approval, recreates board of education to be composed of eight members with four-year staggered terms. Amends Chapter 108 of the Private Acts of 1933, as amended. by \*Frale. (SB3286 by \*Cooper)

**Senate Joint Resolution No. 598** -- Naming and Designating - National Crime Victims' Rights Week, April 9-15, 2000. by \*Burks, \*Williams.

**Senate Joint Resolution No. 649** -- Naming and Designating - "Day of Hope, first Wednesday in April 2000, for victims of child abuse and neglect. by \*Burks.

Rep. Hood moved that all members voting aye on House Joint Resolution No. 579 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### **REGULAR CALENDAR**

**House Bill No. 1834** -- Capitol - Removes restriction that tourists must have out-of-state auto tags to avoid penalty for unauthorized parking at state capitol. Amends TCA Title 4, Chapter 8, Part 2. by \*Hargrove. (\*SB1514 by \*Cooper)

Further consideration of House Bill No. 1834 previously considered on February 24, 2000, March 9, 2000, March 16, 2000 and March 23, 2000, at which time it was reset for today's Calendar.

Rep. Hargrove requested that House Bill No. 1834 be moved to the heel of the Calendar.

**\*House Bill No. 3042** -- State Employees - Authorizes commissioners of finance and administration, personnel and general services and executive director of fiscal review committee to select designees to be seated in their place on employee suggestion award board. Amends TCA Title 4, Chapter 27. by \*Ford S. (SB3114 by \*Person, \*Leatherwood)

Further consideration of House Bill No. 3042 previously considered on March 13, 2000, March 16, 2000 and March 23, 2000, at which time it was reset for today's Calendar.

### **BILL RE-REFERRED**

Rep. Ford moved that House Bill No. 3042 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

### **REGULAR CALENDAR, CONTINUED**

**\*Senate Bill No. 2284** -- Mortgages - Increases from 20 to 40 years maximum period for open-end mortgage loans. Amends TCA Section 47-28-104. by \*Kyle. (HB2981 by \*Bunch, \*Hood, \*Williams (Williamson), \*Towns, \*Rhinehart, \*Patton, \*Ford S)

Further consideration of Senate Bill No. 2284 previously considered on March 9, 2000, March 16, 2000 and March 23, 2000, at which time it was reset for today's Calendar.

**BILL RE-REFERRED**

Rep. Bunch moved that Senate Bill No. 2284 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**\*Senate Bill No. 2794** -- Children - Broadens child bicycle helmet requirements to include any highway, street or sidewalk; Amends TCA Title 55, Chapter 52. by \*Herron, \*Kurita. (HB3194 by \*Sands, \*Caldwell, \*Hood, \*Eckles, \*Fowlkes, \*Williams (Williamson), \*Arriola, \*McDonald, \*Maddox, \*Robinson, \*Newton, \*McMillan, \*Harwell, \*Roach, \*Fraley, \*Turner (Hamilton))

Further consideration of Senate Bill No. 2794 previously considered on March 20, 2000, at which time it was re-referred to the Committee on Calendar and Rules and reset for today's Calendar.

Rep. Sands moved that Senate Bill No. 2794 be passed on third and final consideration.

Rep. Sands moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2794 By adding the following language as a new, appropriately designated section immediately preceding the effective date section:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 55-52-106, is amended by adding the following language as a new, appropriately designated subsection:

(\_) A law enforcement officer observing any violation of this part shall issue a warning to the violator for the first offense and a citation to the violator for the second or subsequent offense, but shall not arrest or take into custody any person solely for a violation of this part.

On motion, Amendment No. 1 was adopted.

Rep. Tidwell moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2794 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
6,600	6,650
10,471	10,800
13,925	14,000
14,500	14,600
15,600	15,850

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than twenty-two thousand six hundred (22,600) nor more than twenty-three thousand (23,000) according to the 1990 federal census or any subsequent federal census.

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than twenty-two thousand two hundred (22,200) nor more than twenty-two thousand five hundred (22,500) according to the 1990 federal census or any subsequent federal census.

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than forty-six thousand (46,000) nor more than forty-six thousand five hundred (46,500) according to the 1990 federal census or any subsequent federal census.

Rep. Sands moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes .....	40
Noes .....	48
Present and not voting .....	7

**THURSDAY, APRIL 6, 2000 – SIXTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Arriola, Bittle, Black, Bone, Briley, Buck, Bunch, Caldwell, Cooper, Curtiss, Eckles, Ferguson, Fitzhugh, Fowlkes, Garrett, Hargett, Hargrove, Hassell, Hood, Jones S., Kisber, Lewis, Maddox, McAfee, McDonald, McMillan, Odom, Pleasant, Roach, Robinson, Sands, Scroggs, Stulce, Turner (Hamilton), Walker, West, White, Williams, Winningham, Mr. Speaker Naifeh -- 40.

Representatives voting no were: Armstrong, Baird, Beavers, Bowers, Boyer, Brooks, Brown, Chumney, Cole (Dyer), Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ford, Fraley, Givens, Goins, Gunnels, Head, Jackson, Jones U., Kernell, McCord, McDaniell, McKee, Miller, Montgomery, Mumpower, Patton, Phelan, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Sargent, Sharp, Tidwell, Tindell, Towns, Turner (Shelby), Walley, Westmoreland, Whitson, Windle, Wood -- 48.

Representatives present and not voting were: Buttry, Cole (Carter), Hagood, Harwell, Kent, Newton, Todd -- 7.

Without objection, Rep. Tidwell requested to reconsider his action in moving adoption of Amendment No. 2 and for it to be placed at the heel of the Amendments.

Rep. Jackson moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2794 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 3 was adopted.

Rep. Bowers requested that Amendment No. 4 be placed at the heel of the Amendments.

Rep. Westmoreland moved adoption of Amendment No. 5 as follows:

**Amendment No. 5**

AMEND Senate Bill No. 2794 By adding the following new sections to proceed the effective date section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 55-52-106, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) Except as provided in subsection (b), any adult person violating any requirements set forth in Section 55-52-105, commits a violation and shall be assessed a civil penalty of two dollars (\$2) and court costs.

Section \_\_\_\_\_. The provisions of this act shall not apply unless such provisions are approved by a two-thirds (2/3) majority vote of the county commission.

On motion, Amendment No. 5 was adopted.

Rep. Tidwell moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Bowers moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Maddox moved the previous question, which motion prevailed.

Rep. Sands moved that **Senate Bill No. 2794**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes .....	10
Present and not voting .....	4

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jackson, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pleasant, Pruitt, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 82.

Representatives voting no were: Beavers, Davidson, DeBerry J., Jones U., McKee, Phelan, Rhinehart, Rinks, Towns, Turner (Shelby) – 10.

Representatives present and not voting were: Bowers, Boyer, Head, Pinion -- 4.

A motion to reconsider was tabled.

**\*House Bill No. 2846** – Forest and Forest Products - Establishes procedure for stop work orders for silvicultural activities causing water pollution; requires prior notification by owner and operator previously found to have been in violation. Amends TCA Title 69, Chapter 3, Part 1. by \*Tidwell, \*Ridgeway, \*Rinks, \*Givens, \*Walker (Rhea), \*White, \*Jackson, \*Fraley, \*Bone, \*McDaniel, \*McCord. (SB3025 by \*Cooper, \*Springer)

Rep. Tidwell moved that House Bill No. 2846 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2846 by deleting everything after the enactment clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated Section 69-3-103 is amended by adding the following:

() "Forestry best management practices" means those land and water resource conservation measures that prevent, limit, or eliminate water pollution for forest resource management purposes, as provided in rules hereinafter promulgated in accordance with Tennessee Code Annotated, Section 11-4-301(d)(18). Until those rules are effective, "forestry best management practices" will be those which have been developed by the Division of Forestry of the Department of Agriculture. The commissioner of agriculture shall specifically identify these interim forestry best management practices prior to September 1, 2000.

() "silvicultural activities" means those forest management activities associated with the harvesting of timber and including without limitation the construction of roads and trails.

() "operator" as used in the context of silvicultural activities, means any person(s) that conducts or exercises control over any silvicultural activities; provided, however, that the term "operator" shall not include an owner if the silvicultural activities are being conducted by an independent contractor.

() "owner" as used in the context of silvicultural activities, means any person(s) that owns or leases land on which silvicultural activities occur or owns timber on land on which silvicultural activities occur.

() "stop work order" means an order issued by the commissioner of environment and conservation requiring the operator to immediately cease part or all silvicultural activities.

SECTION 2. Tennessee Code Annotated Title 69, Chapter 3, Part 1 is amended by adding the following new section:



Section \_\_\_\_\_. When certain silvicultural activities have polluted waters of the state as a result of an operator's failure or refusal to use forestry best management practices, the commissioner of environment and conservation may issue a stop work order to the operator. If the owner is different than the operator, the commissioner shall at the same time notify the owner that a stop work order has been issued to the operator by delivering a copy of the stop work order to the owner. The stop work order requires that the operator must cease part or all of the silvicultural activities on site that are contributing to such pollution. The stop work order will remain in effect until the operator installs forestry best management practices that eliminate and prevent further pollution associated with the silvicultural activities. No stop work order may be issued or suspended without consultation with the commissioner of agriculture.

SECTION 3. Tennessee Code Annotated Title 69, Chapter 3, Part 1 is further amended by adding the following language as a new section to be appropriately designated:

Section \_\_\_\_\_. No operator, who at any time within the previous two (2) years, has been found to have violated this part in the conduct of silvicultural activities, such finding of violation not having been overturned or reversed on appeal, shall start any silvicultural activities unless the operator at least ten (10) days prior thereto has filed a written notification with the commissioner of agriculture and the commissioner of environment and conservation including the following information:

- (1) The name and address of the operator and, if different than the owner, the name and address of the owner;
- (2) The location of the silvicultural activities and estimated acreage; and
- (3) The anticipated beginning date and anticipated length of the silvicultural activities.

SECTION 4. Tennessee Code Annotated Title 69, Chapter 3, Part 1 is further amended by adding the following language as a new section to be appropriately designated:

Section \_\_\_\_\_. A written request for a hearing before the Water Quality Control Board on the stop work order must be filed by the operator to the commissioner of environment and conservation within thirty (30) days of receipt of notice. If a hearing is requested, the operator shall also be afforded the opportunity to meet with the commissioner of environment and conservation or, at the commissioner's option, the deputy or assistant commissioner, within three (3) working days after the hearing request is filed to discuss the alleged violation and show cause why a stop work order should not have been issued. Any modification or revocation of the stop work order shall be in writing. If the Commissioner or such designee upholds the stop work order, it shall remain in effect until resolution of the appeal or the operator comes into compliance. If no request for hearing is made within thirty (30) days of the receipt of notice, the stop work order becomes final and not subject to review.

SECTION 5. Tennessee Code Annotated Title 69, Chapter 3, Part 1 is further amended by adding the following language as a new section:

Section \_\_\_\_\_. Failure of an operator to give the notice required by section 3 or to comply with a stop work order issued pursuant to sections 2 and 4 shall subject the operator to the penalties in Tennessee Code Annotated, Section 69-3-115(a)(1)(E).

SECTION 6. Except as provided in the definition of forestry best management practices in Section 1 of this act, the water quality control board will promulgate rules to implement the purposes of this act including criteria and procedures for issuance of a stop work order. The commissioner shall not delegate his or her authority to issue stop work orders. The proposed rules will be presented to the water quality control board for commencing the formal rulemaking process no later than September 1, 2000.

SECTION 7. Notwithstanding any provisions of this act to the contrary, Tennessee Code Annotated, Section 69-3-120(g) will apply to this act.

SECTION 8. This act shall take effect upon becoming a law for the purpose of rule promulgation and September 1, 2000, for all other purposes, the public welfare requiring it.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Tidwell moved that **House Bill No. 2846**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 2914** -- Victims' Rights - Specifies information that law enforcement agencies shall provide to victims of crime. Amends TCA Title 40. by \*Scroggs, \*Newton, \*Hargrove, \*Langster, \*Black, \*Godsey, \*Ford S, \*Sharp, \*McDaniel, \*Todd, \*Bunch, \*Hagood, \*Hargett, \*Walker (Rhea), \*Davis (Washington), \*Wood, \*Buttry, \*Hassell, \*Beavers, \*Pleasant. (\*SB2517 by \*Herron, \*Burks)

Further consideration of House Bill No. 2914 previously considered on April 3, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

#### REGULAR CALENDAR, CONTINUED

Rep. Scroggs moved that **House Bill No. 2914** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 2355** -- Athletic Trainers - Replaces "certificate" and certification" with "license" and "licensure"; changes supervision requirements to include supervision by both licensed trainer and licensed physician instead of trainer or physician. Amends TCA Title 63, Chapter 24, Part 1. by \*West, \*Armstrong, \*Kisber. (SB2559 by \*Cooper, \*Person)

Further consideration of House Bill No. 2355 previously considered on April 3, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2355 was made to conform with **Senate Bill No. 2559**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 2559 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 2.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as House Amendment No. 3 as follows:

#### **Amendment No. 3**

AMEND Senate Bill No. 2559 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 24, Part 1, is amended by deleting the part in its entirety and by substituting instead the following:

Section 63-24-101. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Athletic injury" means any injury sustained by a person as a result of such person's participation in exercises, sports, games, or recreation requiring physical strength, agility, flexibility, range of motion, speed, or stamina, or comparable athletic injury which prevents such person from participating in such activities;

(2) "Athletic trainer" means a person with specific qualifications as set forth in this chapter, who, upon the advice, consent and oral or written prescriptions of a doctor of medicine, osteopathy, dentistry or podiatry, or under the written or oral referral of a licensed doctor of chiropractic, within the limits of their respective practice acts for referrals and/or prescriptions under Tennessee Code Annotated, Title 63, carries out the practice of prevention, recognition, evaluation, management, disposition, treatment, or rehabilitation of athletic injuries, and, in carrying out these functions the athletic trainer is authorized to use physical modalities, such as heat, light, sound, cold, electricity, or mechanical devices related to prevention, recognition, evaluation, management, disposition, rehabilitation, and treatment; and

(3) "Board" means the board of medical examiners.

63-24-102. Powers and duties of board.

(a) The board is hereby authorized to license athletic trainers consistent with the provisions of this chapter and to adopt rules and regulations necessary for the performance of its duties.

(b) The board shall prescribe application forms for licensure and shall conduct and/or select a licensure examination.

(c) The board shall establish guidelines for athletic trainers in the state.

(d) The board is hereby authorized to establish, by duly promulgated rules, mandatory continuing education requirements as a condition for licensure renewal.

Section 63-24-103. Licensure Requirement. (a) No person shall represent themselves or claim to be an athletic trainer or perform, for compensation, any of the activities of an athletic trainer as defined in this chapter without first obtaining a license under this chapter.

(b) Nothing in this chapter shall be construed to prevent any person from serving as a student-trainer, or any similar position if such service is not primarily for compensation and is carried out under the supervision of an athletic trainer duly licensed as defined in this chapter and a doctor of medicine, osteopathy, chiropractic, dentistry or podiatry licensed under Tennessee Code Annotated, Title 63. Such supervision will be provided under the guidelines of the National Athletic Trainers' Association Board of Certification, Inc., and/or approved by the board.

(c)(1) Persons who are certified by the board as athletic trainers on the effective date of this act may practice as licensed athletic trainers, provided such persons meet all of the other requirements of this act.

(2) Upon the expiration of an athletic trainer's certificate, the board shall issue a license to replace such certificate, provided the athletic trainer has met all of the other requirements of the act.

63-24-104. Qualifications of applicants - Reciprocity.

(a) An applicant for an athletic trainer license must possess the following qualifications:

(1) Have met the athletic training curriculum requirements of a college or university approved by the board and give proof of graduation; and

(2) Satisfactorily completed all of the National Athletic Trainers' Association (NATA) Board of Certification, Inc., qualifications and be certified as an athletic trainer in good standing by the National Athletic Trainers' Association Board of Certification, Inc., and/or approved by the board.

(b) An out-of-state applicant must possess the stated qualifications of subdivision (a). Upon receipt of the initial athletic trainer licensure fee, the board may grant, without examination, a license to any qualified nonresident athletic trainer who holds a valid license or certificate issued by another state and whose qualifications are deemed by the board to be at least equivalent to those required for licensure in this state; provided, that such other state extends the same privilege to qualified athletic trainers who are residents of this state. An out-of-state applicant from a state not having a licensure or certification act will be eligible to take the jurisprudence examination if certified by the National Athletic Trainers' Association Board of Certification, Inc., and approved by the board.

63-24-105. Licensure - Renewal - Retirement.

(a)

(1) An applicant for an athletic trainer license must submit an application to the board on forms prescribed by the board and submit the examination fee required by this chapter.

(2) The applicant is entitled to an athletic trainer's license if the applicant possesses the qualifications enumerated in § 63-24-104, completes and passes the certification requirements and examination of the National Athletic Trainers' Association Board of Certification, Inc. or its equivalent as determined by the board, completes the jurisprudence examination administered and/or selected by the board, to its satisfaction, pays the licensure fee as set in § 63-24-106, and has not committed an act which constitutes grounds for denial of a license under § 63-24-107.

(b) Any person who is issued initial licensure as an athletic trainer is deemed to be registered as such for two (2) years, or to the next even-numbered year immediately following conclusion of the initial two (2) calendar years. Thereafter, such person shall biennially apply to the board for certificate renewal and shall submit such information as may be requested by the board. Upon making an application for renewal, such person shall pay a renewal fee as prescribed pursuant to § 63-24-106.

(c) Any person licensed to practice by the provisions of this chapter, who has retired or may hereafter retire from such practice in this state, shall not be made to register as required by this chapter if such person files with this board, an affidavit on a form to be furnished by the board, which affidavit states the date on which such person retired from such practice and such other facts as tend to verify such retirement as the board deems necessary. If such person thereafter reengages in such practice in this state, such person shall apply for registration, with the board as provided by this chapter, and shall meet other requirements as may be set by the board.

(d) Notwithstanding any provision of this chapter to the contrary, the division, with the approval of the commissioner, shall establish a system of license renewals at alternative intervals which will allow for the distribution of the license workload as uniformly as is practicable throughout the calendar year. Licenses issued under the alternative method are valid for twenty-four (24) months, and expire on the last day of the last month of the license period. However, during a transition period, or at any time thereafter when the board determines that the volume of work for any given interval is unduly burdensome or costly, either the licenses or renewals, or both of them, may be issued for terms of not less than six (6) months nor more than eighteen (18) months. The fee imposed for any license under the alternative interval method for a period of other than twenty-four (24) months shall be proportionate to the annual fee and modified in no other manner, except that the proportional fee shall be rounded off to the nearest quarter of a dollar. No renewal application will be accepted after the last day of the month following the license expiration date under the alternative method authorized in this subsection.

(e) Any person who possesses a certificate or temporary certificate issued by the board shall be deemed to possess a license or temporary license, respectively. At the time of renewal, a certificate holder who is approved for renewal shall receive a license from the board rather than a renewal of the certificate.

63-24-106. Fees.

(a) The board shall, by duly promulgated rules, establish the following fees:

- (1) Athletic trainer application-examination fee;
- (2) Initial athletic trainer licensure fee;
- (3) Biennial licensure renewal fee;
- (4) Late renewal fee;
- (5) Licensure restoration fee; and
- (6) Fee for obtaining a duplicate of licensure.

(b) The board is hereby authorized, by duly promulgated rules, to specify the conditions and circumstances, if any, under which one (1) or more of the above fees may be refunded in whole or in part.

63-24-107. Denial, suspension or revocation of licensure.



The board may refuse to issue a license to an applicant or may suspend or revoke the license of any person who has:

(1) Violated standards of practice as determined by the board;

(2) Secured the license by fraud or deceit; or

(3) Violated or conspired to violate the provisions of this chapter or rules and regulations issued pursuant to this chapter.

63-24-108. Hearings - Procedure - Reissuance of licenses.

(a) Any person whose application is denied is entitled to a hearing before the board if the person submits a written request to the board. Proceedings for denial, revocation or suspension of a license shall be conducted consistent with § 63-6-216.

(b) On application, the board may reissue a license to a person whose license has been cancelled or revoked, but the application may not be made prior to the expiration of a period of six (6) months after the order of cancellation or revocation has become final, and application shall be made in the manner and form as the board may require.

63-24-110. Exemptions.

(a) No provision of this chapter shall be construed so as to limit or prevent any person duly licensed or certified under the laws of this state from practicing the profession for which the person was licensed or certified.

(b) The provisions of this chapter shall not be construed to apply to any person engaging in the practice of athletic training while employed for such purpose by a non-Tennessee post-secondary educational institution or professional athletic organization which is temporarily present in this state for an athletic competition or exhibition.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 2 as House Amendment No. 3 was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 3 as House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 2559 As amended, in Section 63-24-101(2) of the amendatory language of Section 1 by deleting the language between "written prescriptions" and "under Tennessee Code Annotated, Title 63" and substituting instead the following:

or referrals of a physician licensed

AND FURTHER AMEND in the first sentence of Section 63-24-103(b) of the amendatory language of Section 1 between "as defined in this chapter" and "licensed under Tennessee Code Annotated, Title 63." and substituting instead the following:

and a physician

On motion, Health and Human Resources Committee Amendment No. 3 as House Amendment No. 4 was adopted.

Rep. West moved adoption of Amendment No. 5 as follows:

**Amendment No. 5**

AMEND Senate Bill No. 2559 As amended, in Section 63-24-101(2) of the amendatory language of Section 1 by inserting the language "; an athletic trainer shall practice only in those areas in which he or she is competent by reason of training or experience which can be substantiated by records or other evidence found acceptable by the Board in the exercise of the Board's considered discretion" between the language "and treatment" and the language "; and" at the end of the item.

On motion, Amendment No. 5 was adopted.

Rep. West moved that **Senate Bill No. 2559**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 2583** -- Animals - Allows trier of fact to award up to \$5,000 in non-economic damages to person whose pet is killed or sustains injuries which result in death caused by intentional or negligent act of another or by the pet of another. Amends TCA Title 44, Chapter 17. by \*Briley, \*Kisber. (\*SB2157 by \*Cohen, \*Person)

Further consideration of House Bill No. 2583 previously considered on April 3, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2583 was made to conform with **Senate Bill No. 2157**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that Senate Bill No. 2157 be passed on third and final consideration.

Rep. Buck requested that Judiciary Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2157 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 17, is amended by adding the following as a new, appropriately designated section:

44-17-\_\_.

(a) If a person's pet is killed or sustains injuries which result in death caused by the unlawful and intentional, or negligent, act of another or the animal of another, the trier of fact may find the individual causing the death or the owner of the animal causing the death liable for up to four thousand dollars (\$4,000) in non-economic damages; provided that if such death is caused by the negligent act of another, the death or fatal injury must occur on the property of the deceased pet's owner or care-taker, or while under the control and supervision of the deceased pet's owner or care-taker.

(b) As used in this section, "pet" means any domesticated dog or cat normally maintained in or near the household of its owner;

(c) Limits for non-economic damages set out in subsection (a) shall not apply to causes of action for intentional infliction of emotional distress or any other civil action other than the direct and sole loss of a pet.

(d) Non-economic damages awarded pursuant to this section shall be limited to compensation for the loss of the reasonably expected society, companionship, love and affection of the pet.

(e) This section shall not apply to any not-for-profit entity or governmental agency, or their employees, negligently causing the death of a pet while acting on the behalf of public health or animal welfare; to any killing of a dog that has been or was killing or worrying livestock as in § 44-17-203; nor shall this section be construed to authorize any award of non-economic damages in an action for professional negligence against a licensed veterinarian.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any fatal injury sustained on or after the effective date of this act.

On motion, Judiciary Committee Amendment No. 2 was adopted.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Briley moved that Senate Bill No. 2157 be reset for the Regular Calendar on April 13, 2000, which motion prevailed.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 2874** -- Real Estate Agents and Brokers - Requires real estate brokers to complete 16 hours of continuing education every two years. Amends TCA Title 62, Chapter 13, Part 3. by \*Sands. (\*SB2811 by \*Ramsey)

Further consideration of House Bill No. 2874 previously considered on April 3, 2000, at which time it was reset for today's Calendar.

Rep. Sands moved that House Bill No. 2874 be reset for the Regular Calendar on May 4, 2000, which motion prevailed.

**House Bill No. 2610** -- Consumer Protection - Revises provisions concerning Do Not Call Register relating to telephone solicitation. Amends TCA Section 65-4-405. by \*Hargrove, \*Naifeh, \*Cole (Dyer), \*Maddox. (\*SB2904 by \*Cooper)

Rep. Hargrove moved that House Bill No. 2610 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2610 By deleting subdivision (d)(3) of the amendatory language of Section 2 and by substituting instead the following:

(3) Except to the extent permitted by rules promulgated by the authority, no person or entity shall provide the Do Not Call Register or a copy thereof to any other person or entity who is not duly registered. Notwithstanding the foregoing, nothing in this part prohibits an entity from providing the Do Not Call Register or a copy thereof to any parent, subsidiary, or affiliated company.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Hargrove moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2610 In the amendatory language of Section 1 of the printed bill by deleting the language "April 1, 2000" and by substituting instead the language "May 1, 2000".

AND FURTHER AMEND by deleting subdivision (d)(3) of the amendatory language of Section 2 in its entirety and by appropriately redesignating the subsequent subdivision.

AND FURTHER AMEND by adding the following as a new Section 3 and by appropriately redesignating the subsequent section:

SECTION 3. Tennessee Code Annotated, Section 65-4-405, is amended by adding the following as a new subsection to be appropriately designated:

( ) Upon request of any person, the authority shall initiate a rulemaking proceeding establishing the rules pursuant to which a registrant may share the Do Not Call Register with persons affiliated with the registrant as an independent contractor or member.

On motion, Amendment No. 2 was adopted.

Rep. Hargrove moved that **House Bill No. 2610**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 2888** -- Safety - Increases certain electrical inspection fees. Amends TCA Title 68, Chapter 102, Part 1. by \*Rinks. (\*SB2550 by \*Cooper)

Rep. Rinks moved that House Bill No. 2888 be reset for the Regular Calendar on April 13, 2000, which motion prevailed.

**\*House Bill No. 2498** -- Driver Licenses - Excludes person whose DUI conviction is over ten years old and who is permanently handicapped and unable to drive motor vehicle from requirement that DUI conviction be noted on photo identification license. Amends TCA Section 55-50-336. by \*Eckles. (SB2928 by \*Womack)

On motion, House Bill No. 2498 was made to conform with **Senate Bill No. 2928**; the Senate Bill was substituted for the House Bill.

Rep. Eckles moved that **Senate Bill No. 2928** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	84
Noes .....	7
Present and not voting .....	6

Representatives voting aye were: Armstrong, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargett, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, West, Westmoreland, White, Whitson, Williams, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Davis (Washington), Godsey, Goins, Hagood, Harwell, Mumpower, Winningham -- 7.

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Representatives present and not voting were: Beavers, Bunch, Buttry, Ferguson, Walley, Windle -- 6.

A motion to reconsider was tabled.

**\*House Bill No. 2387** -- Highway Signs - Prohibits stacking of two or more billboard displays, or more than one horizontal display in excess of square footage limitations of present law, after 7/1/00. Amends TCA Title 54, Chapter 21. by \*Eckles, \*McAfee. (SB2479 by \*Haynes)

Rep. Eckles moved that House Bill No. 2387 be reset for the Regular Calendar on April 10, 2000, which motion prevailed.

**\*House Bill No. 2103** -- Traffic Safety - Creates Class C misdemeanor offense of disrupting funeral procession. Amends TCA Section 55-8-183. by \*Brooks. (SB2338 by \*Ford J)

Further consideration of House Bill No. 2103 previously considered on March 16, 2000, at which time it was re-referred to the House Transportation Committee and reset for today's Calendar.

On motion, House Bill No. 2103 was made to conform with **Senate Bill No. 2338**; the Senate Bill was substituted for the House Bill.

Rep. Brooks moved that Senate Bill No. 2338 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Brooks moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2 as House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2338 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-183, is amended by adding the following language as a new, appropriately designated subsection:

(c)

(1) Unless complying with the specific order of a law enforcement officer, it is unlawful for the operator of a motor vehicle to knowingly:

(A) Fail to yield the right-of-way to a properly identified funeral procession progressing across an intersection in accordance with the provisions of subdivision (a)(1); or

(B) While following a properly identified funeral procession along a two-lane street, road or highway, pass or attempt to pass a properly identified funeral procession; or

(C) Drive or attempt to drive between the vehicles within a properly identified funeral procession.

(2) Each violation of this subsection is punishable by a civil penalty not to exceed fifty dollars (\$50.00).

(3) For purposes of this subsection, to be a "properly identified" funeral procession, such procession must be indicated by a flashing amber light and a auditory signaling device mounted on the lead vehicle or by other properly identified escort, and a flag or other appropriate marking device on each vehicle in the procession indicating that such vehicle is part of the funeral procession.

(4) Any county or municipality may adopt the provisions of this subsection for properly identified funeral processions within its jurisdiction by a two-thirds (2/3) vote of the legislative body of such county or municipality. If a county or municipality adopts the provisions of this subsection, the presiding officer of such legislative body shall proclaim and certify its adoption to the Secretary of State.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 2 as House Amendment No. 3 was adopted.

Rep. Brooks moved that **Senate Bill No. 2338**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes .....	0
Present and not voting .....	1



Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Williams, Windle, Winningham, Wood -- 90.

Representatives present and not voting were: Beavers -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2129** -- Bail, Bail Bonds - Requires Tennessee Association of Professional Bail Agents to contract with more than one provider of continuing education in each grand division if available; requires association to actively solicit bids from minority-owned businesses. Amends TCA Title 40, Chapter 11, Part 4. by \*Cooper B, \*Turner (Shelby), \*DeBerry L. (SB2330 by \*Ford J)

Rep. Cooper moved that House Bill No. 2129 be passed on third and final consideration.

Rep. Cooper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as House Amendment No. 2 as follows:

#### **Amendment No. 2**

AMEND House Bill No. 2129 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-405(b), is amended by adding the following language after the first sentence:

The Association is authorized to subcontract with any of its subassociations for such classes.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Cooper moved that **House Bill No. 2129**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.....	92
Noes .....	0
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cooke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Beavers, Black -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 3015** -- Commerce and Insurance, Dept. of - Removes requirement that compensation and per diem allowances for state insurance examiners not exceed guidelines of National Association of Insurance Commissioners; authorizes payment of reasonable compensation and per diem allowances. Amends TCA Title 56, Chapter 1, Part 4. by \*McKee. (SB3088 by \*Atchley)

On motion, House Bill No. 3015 was made to conform with **Senate Bill No. 3088**; the Senate Bill was substituted for the House Bill.

Rep. McKee moved that Senate Bill No. 3088 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. McKee moved that **Senate Bill No. 3088** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	55
Noes .....	21
Present and not voting .....	10

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bowers, Boyer, Buck, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davis (Cooke), Davis (Washington), Eckles, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Kent, Kernell, Kisber, Lewis, McAfee, McDaniel, McKee, Montgomery, Mumpower, Patton, Phelan, Pinion, Pruitt, Rhinehart, Rinks, Sargent, Scroggs, Sharp, Tidwell, Tindell, Todd, Towns, Walker, Walley, Whitson, Wood -- 55.

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Representatives voting no were: Bone, Briley, Davidson, Hargett, Maddox, McDonald, McMillan, Miller, Odom, Phillips, Pleasant, Ridgeway, Sands, Stulce, Turner (Hamilton), Turner (Shelby), West, White, Williams, Windle, Winningham -- 21.

Representatives present and not voting were: Baird, Brooks, Brown, Bunch, Chumney, Cooper, Ferguson, Godsey, Jones U., Robinson -- 10.

A motion to reconsider was tabled.

**\*House Bill No. 3168** -- Driver Licenses - Institutes graduated driver licensing. Amends TCA Title 55, Chapter 50. by \*Fowlkes, \*Robinson, \*Williams (Williamson), \*Eckles, \*DeBerry L, \*Ridgeway, \*Scroggs, \*McDaniel, \*Boyer, \*Bittle, \*Pinion, \*Harwell, \*Turner (Hamilton), \*Caldwell, \*Beavers, \*DeBerry J, \*McDonald, \*Lewis, \*Rinks, \*Bowers, \*Fitzhugh, \*Hood, \*Cole (Dyer), \*Maddox. (SB3210 by \*Cohen, \*McNally)

Rep. Fowlkes requested that House Bill No. 3168 be moved to the heel of the Calendar.

**\*House Bill No. 2126** -- Cooperatives - Increases certain filing fees telephone cooperatives must pay to secretary of state. Amends TCA Title 7, Chapter 59 and Title 65, Chapter 29. by \*Buck, \*Bone. (SB2584 by \*Burks)

Without objection, House Bill No. 2126 was moved to the heel of the Calendar.

**House Bill No. 2770** -- University of Tennessee - Provides that copyrighted computer materials held by state institution, the University of Tennessee, are not open to public inspection; provides that such materials produced by UT employees are open to audit inspections. Amends TCA Title 49, Chapter 9. by \*Armstrong, \*McDaniel. (\*SB2564 by \*Cooper)

Rep. Armstrong moved that House Bill No. 2770 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2770 by deleting Section 1 of the printed bill in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 9, is amended by adding the following as a new Part 14:

Part 14 RESEARCH AND DEVELOPMENT AT THE  
UNIVERSITY OF TENNESSEE

Section 49-9-1401. The purpose of this part is to enhance the competitive position of the University of Tennessee for research and development funding and otherwise to facilitate expanded research and development activities at the university, the premier public research university in this state. The further purpose of this part is to facilitate the commercialization of university research outcomes and the transfer of research-generated technology from the university to commercial and industrial enterprises in furtherance of the economic development of this state. This part shall be liberally construed in conformity with its purposes.

Section 49-9-1402. (a) Without intending any limitation of the express and implied powers vested in the University of Tennessee, the general assembly hereby expressly recognizes the university's authority to take whatever steps it deems necessary to form and participate in legal entities organized under the laws of this state for the purpose of promoting, supporting, and carrying out the university's research mission, including without limitation the commercialization of research outcomes and the transfer of research-generated products, ideas, processes, and other technology from the university to commercial and industrial enterprises. The general assembly further expressly recognizes the university's authority to enter into joint ventures and other cooperative arrangements with such entities in furtherance of the purposes of this part.

(b) Entities described in subsection (a) may be vested with any power and charged with any responsibility necessary or desirable to facilitate research and development at the university, commercialization of university research outcomes, and transfer of research-generated technology from the university to commercial and industrial enterprises.

Section 49-9-1403. Entities described in Section 49-9-1402(a) shall not be deemed or construed to be an agency, department, instrumentality, political subdivision or other arm of the state.

Section 49-9-1404. The operations of entities described in Section 49-9-1402(a) shall be audited annually by an independent certified public accountant, and copies of the audit shall be furnished to the comptroller of the treasury. An entity described in Section 49-9-1402(a) shall also be subject to audit by the comptroller of the treasury, but nothing in this section shall be construed to mean that such entity is an agency, department, instrumentality, political subdivision or other arm of the state.

Section 49-9-1405. Notwithstanding any provision of law to the contrary, entities described in Section 49-9-1402(a) may use the services of university employees, entity employees, and employees of other entities.

Section 49-9-1406. Debts, liabilities, and other obligations of an entity described in Section 49-9-1402(a) shall not constitute debts, liabilities, or obligations of the state or the university.

Section 49-9-1407. Nothing contained in this part shall be deemed or construed to waive or abrogate in any way the sovereign immunity of the state, the university, or any officer or employee of the state or university or to deprive any officer or employee of the state or university of any other immunity to which the officer or employee is otherwise entitled under state law.

Section 49-9-1408. The provisions of this part shall constitute full and complete authority, without regard to the provisions of any other law, for the doing of the acts and things herein authorized and shall be liberally construed to effect its purposes. If the provisions of this part are inconsistent with the provisions of any other law, the provisions of this part shall be controlling; provided, however, that the provisions of Tennessee Code Annotated, Sections 4-15-102, 12-2-112, 12-2-114, and 12-2-115, shall apply to transactions between the university and entities described in Section 49-9-1402(a).

Section 49-9-1409. The provisions of this part are severable, and it is the intention to enact the whole or any part of the powers provided for in this part. If any provision of this part, or the application thereof to any person or circumstance, is for any reason held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the remaining provisions of this part shall remain in full force and effect.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Bill No. 2770**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 2881** -- Architects, Engineers and Designers - Deletes provision giving board of architects and engineers authority, subject to approval of department of commerce and insurance, to authorize one administrative person to attend state, regional and national registration meetings. Amends TCA Section 62-2-206. by \*Armstrong. (SB3035 by \*Crowe, \*Kurita, \*Henry)

On motion, House Bill No. 2881 was made to conform with **Senate Bill No. 3035**; the Senate Bill was substituted for the House Bill.

Rep. Armstrong moved that Senate Bill No. 3035 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Armstrong moved that **Senate Bill No. 3035** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 3248** -- Civil Procedure - Confers nuisance abatement jurisdiction to any court with injunctive authority. Amends TCA Section 29-3-102. by \*Chumney, \*DeBerry L. (\*SB2385 by \*Kyle)

Rep. Chumney moved that House Bill No. 3248 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3248 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-3-102, is amended by deleting the language "and criminal courts to abate the public nuisances" and substituting instead the language "circuit, and criminal courts and any court designated as an environmental court pursuant to Chapter 426 of the Public Acts of 1991 to abate the public nuisances".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Chumney moved that **House Bill No. 3248**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 2231** -- Courts, Administrative Office of the - Extends TnCIS steering committee from period not to exceed five years from 6/30/99, to period not to exceed five years from 6/30/00. Amends TCA Title 16, Chapter 3, Part 8. by \*Buck. (SB2918 by \*Wilder)

Rep. Buck moved that House Bill No. 2231 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2231 by deleting subsection (h) of the amendatory language of SECTION 1 in its entirety and substituting instead the following:

(h) The steering committee shall remain in existence for a period not to exceed five (5) years from June 30, 2000, based on the initial project scope as determined by the TnCIS Steering Committee.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 2231**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1834** -- Capitol - Removes restriction that tourists must have out-of-state auto tags to avoid penalty for unauthorized parking at state capitol. Amends TCA Title 4, Chapter 8, Part 2. by \*Hargrove. (\*SB1514 by \*Cooper)

**BILL RE-REFERRED**

Rep. Hargrove moved that House Bill No. 1834 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 3168** -- Driver Licenses - Institutes graduated driver licensing. Amends TCA Title 55, Chapter 50. by \*Fowlkes, \*Robinson, \*Williams (Williamson), \*Eckles, \*DeBerry L., \*Ridgeway, \*Scroggs, \*McDaniel, \*Boyer, \*Bittle, \*Pinion, \*Harwell, \*Turner (Hamilton), \*Caldwell, \*Beavers, \*DeBerry J., \*McDonald, \*Lewis, \*Rinks, \*Bowers, \*Fitzhugh, \*Hood, \*Cole (Dyer), \*Maddox. (SB3210 by \*Cohen, \*McNally)

Further consideration of House Bill No. 3168 previously considered on today's Calendar.



Rep. Fowlkes moved that House Bill No. 3168 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 3168 By deleting all of the language of the printed bill after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-311, is amended by deleting such section in its entirety and by substituting instead the following:

Section 55-50-311.

(a)(1) Any person who is fifteen (15) years of age or older, who has successfully passed the standard written test and visual examination for applicants of a state automotive license, and who has the written approval of such person's parent or legal guardian may be issued a learner permit by the department of safety. A learner permit shall allow such person to operate a motor vehicle whenever such person is accompanied by a person who is at least twenty-one (21) years of age and is licensed to operate a motor vehicle. A person with a learner permit shall not operate a motor vehicle from 10:00 p.m. to 6:00 a.m.

(2) In addition to any other fees authorized by this chapter for the issuance of a learner permit, any person issued a learner permit under the provisions of this section shall pay a five dollar (\$5.00) learner permit fee.

(b)(1) A person may be issued an intermediate driver license if such person is sixteen (16) years of age or older and has:

(A) Passed a driver license examination pursuant to the provisions of § 55-50-322;

(B) Had a learner permit for not less than one hundred eighty (180) days;

(C) Not accumulated six (6) or more points pursuant to the driver improvement program established in § 55-50-505 during the one hundred eighty (180) day period immediately preceding application;

(D) Presented certification by a parent, legal guardian or licensed instructor that such person has accumulated a minimum of fifty (50) hours of behind-the-wheel driving experience, including a minimum of ten (10) hours driving experience at night; and

(E) Successfully demonstrated such person's ability to exercise ordinary and reasonable control in the operation of an automobile.

(2) Notwithstanding subdivision (1), a person may be issued an intermediate driver license if such person is sixteen (16) years of age or older and has been licensed to drive in another state for at least ninety (90) days.

(3) In addition to any other fees authorized by this chapter for the issuance of an intermediate driver license, any person issued an intermediate driver license under the provisions of this section shall pay a five dollar (\$5.00) intermediate driver license fee.

(c)(1) The intermediate driver license issued pursuant to the provision of this section shall be a regular Class D license; provided, that the word "INTERMEDIATE" is prominently printed thereon.

(2) Except as otherwise provided by this section, a driver may apply for an unrestricted driver license one (1) year after receiving an intermediate driver license. All restrictions on vehicle operation pursuant to subsection (e) shall remain in full effect until such time as successful application is made to the department for an unrestricted driver license. Upon successful application, the department shall issue an adhesive sticker to be affixed to the back of the intermediate driver license noting that such intermediate restrictions have been removed.

(3) Upon attaining the age of eighteen (18) years, any licensee may obtain a license without the word "INTERMEDIATE" and sticker as required above by paying the fee for a duplicate license. However, no person shall be required to obtain such duplicate license, until such license expires.

(d) The department of safety shall promulgate certificates to be completed by a driver with a valid unrestricted driver license pursuant to subsection (b)(1)(D). For the purposes of issuing an intermediate driver license the department of safety shall only accept certificates promulgated by the department for this purpose.

(e)(1) A person issued an intermediate driver license shall not operate a motor vehicle from 11:00 p.m. to 6:00 a.m. unless:

(A) Accompanied by a parent or legal guardian;

(B) Accompanied by a licensed driver over the age of twenty-one (21) designated by the parent or legal guardian;

(C) Driving to or from scheduled specifically-identified school-sponsored activities and events, if such driver has in his or her possession written permission from such driver's parent or legal guardian authorizing the driver to go to or from such specifically-identified scheduled school-sponsored activities and events; or

(D) Driving to or from full, or part-time employment, if such driver has in his or her possession written permission from such driver's parent or legal guardian identifying the location of employment and authorizing the driver to go to or from such employment.

(2) In addition to the provisions of subdivision (1), a person issued an intermediate driver license shall not operate a motor vehicle with more than one (1) passenger in such motor vehicle unless:

(A) One (1) or more of the passengers are twenty-one (21) years of age or older and possess a valid unrestricted driver license; or

(B) The passengers are brothers, sisters, stepbrothers or stepsisters of the driver, including adopted or foster children residing in the same household of the driver, and the driver has in his or her possession a letter from the driver's parent or legal guardian authorizing such passengers to be in the motor vehicle for the sole purpose of going to or from school.

(f)(1) If the driver accumulates six (6) or more points pursuant to the driver improvement program established in § 55-50-505 after the issuance of an intermediate driver license, the driver shall be ineligible to apply for an unrestricted driver license for an additional ninety (90) days from the time such driver would otherwise be eligible to obtain such license;

(2)(A) Upon conviction for a moving violation, a motor vehicle accident in which a person with an intermediate driver license is at fault, or a second safety belt violation pursuant to Section 3 of this act, the driver shall be ineligible to apply for an unrestricted driver license for an additional period of ninety (90) days from the time such driver would otherwise be eligible to obtain such license.

(B) If the department receives notification of such conviction after successful application for an unrestricted driver license has been made, the department has the authority to suspend such license for ninety (90) days and may re-issue the driver an intermediate driver license for such period.

(3) Upon a second conviction for a moving violation, a person shall complete a certified driver education course before such person is eligible to obtain an unrestricted driver license.

(4) For the purpose of determining the date of a moving violation or a safety belt violation, the date of the conviction or the receipt of a plea of guilty shall be used.

(g) In addition to any other penalty, a fine of ten dollars (\$10.00) shall be imposed upon conviction for a violation of any provision of this section.

(h) Any driver who has a forged or fraudulent letter or other written statement of approval shall be in violation of this act and shall, upon conviction, have such driver's intermediate license revoked and be issued a learner permit until such driver reaches the age of eighteen (18). Upon reaching the age of eighteen (18), such driver may apply for an unrestricted license if such driver meets all of the other requirements of this chapter.

(i)(1) The provisions of this section shall not apply to any person under the age of eighteen (18) who has graduated from high school. A person under the age of eighteen (18) who has graduated from high school may, if such person otherwise meets the requirements of this chapter, obtain an unrestricted license.

(2) The provisions of this section shall not apply to any person eighteen (18) years of age or older. A person eighteen (18) years of age or older may, if such person otherwise meets the requirements of this chapter, obtain an unrestricted license.

SECTION 2. The court in which a conviction is entered for a moving violation, a motor vehicle accident, or a second safety belt violation pursuant to Section 3 of this act shall send notification of such conviction to the designated parent or legal guardian of a person with a learner permit or intermediate driver license.

SECTION 3. Tennessee Code Annotated, Section 55-9-603, is amended by adding the following as a new subsection thereto:

( ) Notwithstanding the provisions of subsection (b), no person with a learner permit or an intermediate driver license shall operate a passenger motor vehicle in this state unless such person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

SECTION 4. The intermediate driver license issued to a person shall be of the same type issued to all qualified drivers within this state and shall be valid for a similar number of years; provided, that the word "INTERMEDIATE" shall be prominently printed on the front thereof. The commissioner shall determine the appropriate placement and size of the "INTERMEDIATE" restriction.

SECTION 5. The commissioner shall, upon receiving an accident report of an accident occurring in this state which has resulted in death, and upon determining there is a reasonable possibility of a judgment, adjudication or conviction against an operator who has an intermediate driver license, revoke the license of the operator and shall issue to such operator a learner permit. Such operator shall retain a learner permit until the operator reaches the age of eighteen (18). Upon reaching the age of eighteen (18) a driver can apply for an unrestricted driver license.

SECTION 6. Tennessee Code Annotated, Section 55-50-312(a), is amended by deleting subdivision (3) in its entirety.

SECTION 7. Tennessee Code Annotated, Section 55-50-321(a), is amended by adding the language ", intermediate driver license," between the language "instruction permit" and the language "and photo identification".

SECTION 8. Tennessee Code Annotated, Section 55-50-322(a)(1)(A), is amended by inserting the language ", intermediate driver license" between the words "The department shall examine every applicant for a driver license" and the words "or learner permit".

SECTION 9. Tennessee Code Annotated, Section 55-50-322(a)(2), is amended by inserting the words "or intermediate driver license" between the words "applicants for a driver license" and the words "shall include questions concerning drugs and alcohol".

SECTION 10. Tennessee Code Annotated, Section 55-50-323, is amended by adding the following language as a new, appropriately designated subsection:

(\_) For the purposes of this section, "driver license" includes intermediate driver license.

SECTION 11. Tennessee Code Annotated, Section 55-50-332(a), is amended by inserting the language ", intermediate driver license" between the words "In the event that a learner permit" and the words "or driver license".

SECTION 12. Tennessee Code Annotated, Section 55-50-351, is amended by deleting the first sentence of such section in its entirety and by substituting instead the following:

Every licensee shall have such licensee's license in immediate possession at all times when operating a motor vehicle and shall display it upon demand of any officer or agent of the department or any police officer of the state, county or municipality, except that where the licensee has previously deposited the license with the officer or court demanding bail, and has received a receipt from the officer or the court, the same is to serve as a substitute for the license until the specified date for court appearance of licensee or the license is otherwise returned to the licensee by the officer or court accepting the same for deposit.

SECTION 13. The commissioner is authorized to promulgate rules and regulations to effectuate the provisions of this act.

SECTION 14. This act shall only take effect if sufficient funds to implement the provisions of this act are included in the general appropriations act for the fiscal year in which this act becomes effective.

SECTION 15. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 16. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Fowlkes moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 3168 By deleting the last sentence of the amendatory language of Section 1(c)(2) of the bill as amended and by substituting instead the following:

Upon successful application, the department shall have in place a procedure noting that such intermediate restrictions have been removed.

AND FURTHER AMEND by deleting the language "and sticker" from the amendatory language of Section 1(c)(3) of the bill as amended.

AND FURTHER AMEND by deleting the language "a moving violation," from the amendatory language of Section 1(f)(2)(A) of the bill as amended.

On motion, Amendment No. 3 was adopted.

Rep. Dunn moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Dunn moved adoption of Amendment No. 5 as follows:

**Amendment No. 5**

AMEND House Bill No. 3168 By inserting the word "additional" between the word "The" and the words "passengers are brothers" in the amendatory language of Section 1(e)(2)(B) of the bill as amended by House Finance Committee Amendment No. 1.

On motion, Amendment No. 5 was adopted.

Rep. Head moved adoption of Amendment No. 6, which motion was immediately withdrawn.

Rep. Jackson moved adoption of Amendment No. 7 as follows:

**Amendment No. 7**

AMEND House Bill No. 3168 By adding the following new subdivision in amendatory subsection (e)(1) in Section 1 of the bill, as amended:

(E) Unless driving to or from hunting or fishing between the hours of 4:00 a.m. and 6:00 a.m. and in possession of a valid hunting or fishing license.

Rep. Fowlkes moved that Amendment No. 7 be tabled, which motion failed by the following vote:

Ayes.....	37
Noes .....	41
Present and not voting .....	1

Representatives voting aye were: Arriola, Black, Bone, Bowers, Brown, Caldwell, Cole (Dyer), DeBerry L., Dunn, Fowlkes, Hargett, Hargrove, Hassell, Hood, Jones S., Langster, Lewis, McAfee, McDonald, McMillan, Miller, Montgomery, Odom, Pleasant, Rhinehart, Rinks, Sands, Sargent, Scroggs, Stulce, Turner (Hamilton), Turner (Shelby), Walker, West, Williams, Wood, Mr. Speaker Naifeh -- 37.

Representatives voting no were: Baird, Bittle, Boyer, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cooper, Curtiss, Davidson, Ferguson, Fitzhugh, Fraley, Garrett, Godsey, Goins, Hagood, Harwell, Jackson, Maddox, McCord, McDaniel, McKee, Mumpower, Newton, Phelan, Pinion, Pruitt, Ridgeway, Roach, Robinson, Sharp, Tidwell, Tindell, Towns, Walley, White, Whitson, Windle, Winningham -- 41.

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Representatives present and not voting were: Beavers -- 1.

Rep. Hargett moved the previous question on Amendment 7, which motion prevailed.

On motion, Amendment No. 7 was adopted by the following vote:

Ayes .....	54
Noes .....	30
Present and not voting .....	1

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Bowers, Boyer, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Ferguson, Fitzhugh, Fraley, Garrett, Godsey, Goins, Hagood, Harwell, Head, Jackson, Jones U., Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Robinson, Sands, Sharp, Tidwell, Tindell, Walley, White, Whitson, Winningham -- 54.

Representatives voting no were: Arriola, Black, Bone, Brown, Caldwell, DeBerry L., Eckles, Fowlkes, Hargett, Hargrove, Hassell, Hood, Jones S., McAfee, McDonald, Miller, Odom, Pleasant, Roach, Sargent, Scroggs, Stulce, Towns, Turner (Hamilton), Turner (Shelby), Walker, West, Williams, Windle, Wood -- 30.

Representatives present and not voting were: Dunn -- 1.

Rep. Head moved adoption of Amendment No. 8 as follows:

**Amendment No. 8**

AMEND House Bill No. 3168 By deleting Section 3 of House Finance Amendment No. 1 and by substituting instead the following:

SECTION 3. ( ) Notwithstanding the provisions of subsection (b), no person with a learner permit or an intermediate driver license shall operate a passenger motor vehicle in this state unless such person and all passengers between the ages of four (4) and seventeen (17) years of age are restrained by a safety belt at all times the vehicle is in forward motion.

On motion, Amendment No. 8 was adopted.

Rep. McDonald moved the previous question, which motion prevailed.

Rep. Fowlkes moved that **House Bill No. 3168**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0



Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 2126** -- Cooperatives - Increases certain filing fees telephone cooperatives must pay to secretary of state. Amends TCA Title 7, Chapter 59 and Title 65, Chapter 29. by \*Buck, \*Bone. (SB2584 by \*Burks)

Further consideration of House Bill No. 2126 previously considered on today's Calendar.

On motion, House Bill No. 2126 was made to conform with **Senate Bill No. 2584**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 2584 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2584 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 29, Part 1 is amended by adding the following as a new appropriately designated section:

65-29-1\_\_\_\_. Notwithstanding any provision of law to the contrary, in any cooperative organized under this chapter which provides service in five (5) or more counties, including a county containing and physically divided by a United States government corps of engineers dam and reservoir project of thirty-four thousand (34,000) acres or more, and which serves less than twenty thousand (20,000) subscribers as of April 15, 1986, the board of directors of such cooperative must give notice to members of the cooperative that at the next annual or special meeting such board of directors is filing a stock merger registration statement with the United States Securities and Exchange Commission or is taking other lawful measures to convert to or merge with a for-profit entity. Such notice to the members shall be published once a week for four (4) consecutive weeks in a newspaper of general circulation in each county served by the cooperative with the last notice being at least three (3) weeks prior to the meeting. Such notice of meeting shall be at least one-fourth (1/4) of a page in size and include an estimate of the monies the board would expend to effectuate the merger. The members shall then vote as to whether such stock merger registration statement may be filed or whether the board may take other appropriate measures to convert to or merge with a for-profit entity. In order for a membership approval to be valid, at least ten percent (10%) of the membership of the cooperative must vote and a majority of the voting members must vote in favor of submitting a registration statement or other valid measure to convert to or merge with a for-profit entity. If the majority approves such filing or approves taking further appropriate action toward converting to or merging with a for-profit entity, then the board may make the appropriate registration statement filing with the United States Securities and Exchange Commission or, in cases where a filing is unnecessary, may take further appropriate action. Once such filing is made effective by the United States Securities and Exchange Commission or such further appropriate action was taken, then the proposition for the conversion with or merger of a cooperative with a private corporation or other for-profit entity, and the proposed articles of conversion or merger approved by the board of directors of the parties to the proposed conversion or merger, shall then be submitted to a vote of the members of such cooperative at any annual or special meeting thereof, the notice of which shall set forth full particulars concerning the proposed conversion or merger including an estimate of the monies expended to effectuate the conversion or merger. The notice of such meeting shall also be published once a week for four (4) consecutive weeks in a newspaper of general circulation in each county served by the cooperative with the last notice being at least three (3) weeks prior to the meeting. Such notice of meeting shall be at least one-fourth (1/4) of a page in size. The notice of the scheduled vote shall also be mailed in the members' monthly telephone bill one (1) month prior to the election. Any election to convert or merge such cooperative shall be held at least ninety (90) days after the date the election at which the membership approved the filing of a registration statement or other appropriate measure for conversion or merger is held and shall be held on voting machines and under the supervision of the election commission in the county where the principal office of the cooperative is located.

The voting machines for any such election shall remain open for nine (9) full hours from 8:00 A.M. until 5:00 P.M. Any election contest pursuant to this subdivision shall be filed and tried by the criminal court of the county where the election occurs. The board of directors is hereby authorized to contract with any county election commission, or the employees thereof, affected by the terms of this subdivision for the purpose of holding an election pursuant to the provisions of this subdivision. Any election as to whether to convert to or merge with a private corporation or other for-profit entity shall also be conducted at an annual or special meeting that is held on a Saturday. The proposed conversion or merger and the proposed articles of conversion or merger shall be deemed to be approved upon the affirmative vote of not less than two thirds (2/3) of those members of the cooperative voting thereon at such meeting.

SECTION 2. This act shall not be construed as prohibiting the membership of a cooperative from amending the cooperative's bylaws to have more restrictive voting requirements to convert or merge into a for-profit entity than provided for under this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2584 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that **Senate Bill No. 2584**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	3

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Baird, Head, McDonald -- 3.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

#### RULES SUSPENDED

Rep. Ferguson moved that the rules be suspended for the purpose of introducing House Resolution No. 189 out of order, which motion prevailed.

**House Resolution No. 189** -- Memorials, Personal Occasion - Charles & Lueadia Human, 50th Wedding Anniversary. by \*Ferguson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Ferguson, the resolution was adopted.

A motion to reconsider was tabled.

#### RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 190 out of order, which motion prevailed.

**House Resolution No. 190** -- Memorials, Retirement - Randy Galloway, Criminal Investigator, Office of the District Attorney, 16th Judicial District. by \*Hood, \*Eckles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Cole (Carter) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 722 out of order, which motion prevailed.

**Senate Joint Resolution No. 722** -- Memorials, Professional Achievement - Robert O. Burleson, President, Tennessee Restaurant Association. by \*Crowe.

On motion of Rep. Cole (Carter), the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. McDonald moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 742 out of order, which motion prevailed.

**Senate Joint Resolution No. 742** -- Memorials, Public Service - White House High School Coach Jeff Porter, White House Citizen of the Year. by \*Graves.

On motion of Rep. McDonald, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Kernell moved that the rules be suspended for the purpose of introducing House Resolution No. 191 out of order, which motion prevailed.

**House Resolution No. 191** -- Memorials, Professional Achievement - Reverend Henry Razor. by \*Bowers, \*Kernell, \*Chumney, \*Brooks, \*Cooper B, \*Towns, \*DeBerry J, \*Jones U (Shelby), \*Miller L, \*Todd, \*Kent, \*Hassell, \*Hargett, \*DeBerry L, \*Sharp.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kernell, the resolution was adopted.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 10, 2000:

**Senate Bill No. 1882:** by Rep. Ferguson

**House Bill No. 187:** by Rep. Kisber

**House Bill No. 283:** by Rep. McDaniel

**House Joint Resolution No. 2:** by Rep. Newton

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 558:** Rep(s). Givens, S. Jones, Whitson and Chumney as prime sponsor(s).

**House Bill No. 255:** Rep(s). Hargrove as prime sponsor(s).

**House Bill No. 643:** Rep(s). Eckles, Hood and Beavers as prime sponsor(s).

**House Bill No. 715:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 717:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 718:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 1143:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 1653:** Rep(s). Ford as first prime sponsor(s).

**House Bill No. 1920:** Rep(s). Walley as first prime sponsor(s).

**House Bill No. 2048:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 2135:** Rep(s). Caldwell as prime sponsor(s).

**House Bill No. 2196:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 2295:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 2591:** Rep(s). Armstrong and Black as prime sponsor(s).

**House Bill No. 2640:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 2769:** Rep(s). Sharp as prime sponsor(s).

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**House Bill No. 2960:** Rep(s). Buck as prime sponsor(s).

**House Bill No. 3070:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 3082:** Rep(s). Pruitt as prime sponsor(s).

**ENGROSSED BILLS**

**April 6, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 3303.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 576; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 563, 565, 566 and 568; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3298, 3300 and 3303; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2353; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3251; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**April 6, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 2610.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 744; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 744** -- General Assembly, Recess & Reconvene - Provides for a recess in the proceedings of the senate from April 13, 2000 to May 1, 2000. by \*Crutchfield, \*Atchley.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2635, 2932 and 3081; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2635** -- Pest Control - Requires persons issuing termite clearance letters to have license from board of pest control operators; requires wood infestation reports to list presence or absence of wood destroying pests and any damage they may have caused; makes person who falsifies a wood inspection report liable for damages that were present at time of report. Amends TCA Title 62, Chapter 21. by \*Henry. (HB2460 by \*Odom)

**\*Senate Bill No. 2932** -- Employees, Employers - Requires employers with more than five employees providing goods or services to local or state governments to have drug-free workplace. Amends TCA Title 50. by \*Womack. (HB2578 by \*Briley)

**Senate Bill No. 3081** -- Traffic Safety - Deletes requirement that law enforcement officer witness separate violation of law to issue citation or warrant for arrest for violations of seat belt law; deletes citation only limitation for violations of seat belt law. Amends TCA Title 55, Chapter 9, Part 6. by \*Haun, \*Cohen, \*Kurita. (\*HB3009 by \*Newton, \*Robinson)



**ENROLLED BILLS**

**April 6, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2353, 3251, 3298, 3300, 3303; House Joint Resolution(s) No(s). 563, 565, 566, 568, 576; also, House Resolution(s) No(s). 185, 189, 190 and 191.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 6, 2000**

The Speaker signed the following: House Bill(s) No(s). 2353, 3251, 3298, 3300, 3303; House Joint Resolution(s) No(s). 563, 565, 566, 568, 576; also, House Resolution(s) No(s). 185, 189, 190 and 191.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2353, 3251, 3298, 3300, 3303; also, House Joint Resolution(s) No(s). 563, 565, 566, 568 and 576; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 6, 2000**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2353, 3251, 3298, 3300, 3303; also, House Joint Resolution(s) No(s). 563, 565, 566, 568 and 576.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**April 6, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2129, 2231, 2770, 2846, 2914, 3168, 3248, also, House Joint Resolution(s) No(s) 579, 581, 582, 583, 584 and 585.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 6, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2928, 3035, 3088; also, Senate Joint Resolution(s) No(s). 598, 649, 722 and 742 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**April 6, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2928, 3035, 3088; also, Senate Joint Resolution(s) No(s). 598, 649, 722 and 742.

**CONSENT CALENDAR**

**April 6, 2000**

The following local bills have been placed on the Consent Calendar for **April 10, 2000**: House Bill(s) No(s). 3305, 3306, 3308, 3309 and 3310.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 5:00 p.m., Monday, April 10, 2000.